

SECOND DAY.

(Wednesday, February 27, 1918.)

The House met at 10 o'clock a. m.
pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Atlee.	McFarland.
Bass.	McMillin.
Beard.	Mathis.
Beasley.	Mendell.
Bedell.	Metcalf.
Bell.	Miller of Austin.
Bennette.	Miller of Dallas.
Bertram.	Monday.
Blackburn.	Moore.
Blackmon.	Morris.
Bland.	Murrell.
Bledsoe.	Neill.
Brown.	Nordhaus.
Bryan.	O'Banion.
Burton of Rusk.	O'Brien.
Burton of Tarrant.	Peyton.
Butler.	Pillow.
Cadenhead.	Poage.
Carlock.	Reeves.
Cates.	Richards.
Clark.	Roemer.
Cope.	Rogers.
Cox of Bee.	Sackett.
Cox of Ellis.	Sallas.
Davis of Grimes.	Sentell.
Davis of Harris.	Schlesinger.
Davis	Schlosshan.
of Van Zandt.	Seawright.
De Bogory.	Smith of Bastrop.
Denton.	Smith of Hopkins.
Dodd.	Smith of Scurry.
Dudley.	Spradley.
Dunnam.	Sneed.
Estes.	Stewart.
Fairchild.	Stephens.
Fly.	Swope.
Ford.	Taylor.
Greenwood.	Terrell.
Haidusek.	Thomason
Hardey.	of El Paso.
Hill.	Thomason
Holaday.	of Nacogdoches.
Johnson of Blanco.	Thompson
Johnson of Ellis.	of Hunt.
Jones.	Tillotson.
King.	Tilson.
Laas.	Tinner.
Lackey.	Upchurch.
Lange.	Vaughan.
Lanier.	Veatch.
Lee.	Wahrmund.
Lindemann.	White.
McComb.	Williford.
McCord.	Wilson.
McCoy.	Woods.
McDowra.	Yantis.

Absent.

Bagby.	Sholars.
Canales.	Strayhorn.
Harris.	Valentine.
Holland.	Williams
Lacey.	of Brazoria.

Absent—Excused.

Baker.	Raiden.
Beason.	Robertson.
Crudgington.	Spencer.
Davis of Dallas.	Templeton.
Hudspeth.	Thomas.
Laney.	Thompson
Lowe.	of Red River.
Meador.	Traylor.
Osborne.	Walker.
Parks.	Williams
Pope.	of McLennan.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

OATH OF OFFICE ADMINISTERED.

Mr. Swope offered the following resolution:

Whereas, Honorable Charles Murphy, member-elect from Harris county, is at the bar of the House, therefore be it

Resolved, That he be escorted to the Speaker's stand and take the oath of office.

Signed—Swope, Davis of Harris.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker appointed Mr. Swope and Mr. Davis of Harris to escort Mr. Murphy to the Speaker's stand.

The committee having performed their duty, Mr. Murphy took the constitutional oath of office, which was administered by the Speaker.

Mr. Murphy then addressed the House, being introduced by the Speaker.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Davis of Dallas, Mr. Spencer, Mr. Raiden and Mr. Osborne, for today and tomorrow, on motion of Mr. Williford.

Mr. Pope, for today and tomorrow, on motion of Mr. Pillow.

Mr. Traylor, for yesterday and today, on motion of Mr. Beasley.

Mr. Williams of McLennan, for this week, on motion of Mr. Roemer.

Mr. Meadow, for this week, on motion of Mr. Terrell.

Mr. Bland, for yesterday, on motion of Mr. Cates.

PROVIDING FOR PRINTING HOUSE JOURNALS.

Mr. Sentell offered the following resolution:

Be it resolved by the House of Representatives, That one thousand copies of the House Journal of each day be printed; one hundred copies to be delivered to the Senate, five copies to be placed on the desk of each member of the House each day, fifty copies to be delivered to the State Library; the remainder to be left with the Sergeant-at-Arms for distribution under the direction of the Speaker of the House.

Signed—Sentell, Holaday, McCord, McMillin, Blackmon.

The resolution was read second time and was adopted.

PROVIDING PAPERS FOR WOMAN'S CONFEDERATE HOME.

Mr. Peyton offered the following resolution:

Whereas, There are about eighty-five inmates at the Woman's Confederate Home, and

Whereas, Many of these good women would like to have reading matter; therefore, be it

Resolved, That eighty-five copies of the daily papers, subscribed for by the members, after having been read by said members, shall be sent to the said Home daily, and the Speaker is hereby authorized to name a messenger to deliver same and that his per diem be paid out of the contingent expense fund.

The resolution was read second time and was adopted.

HOUSE JOINT RESOLUTION NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America, passed by the Sixty-fifth Congress of the United States of America at its Second Session, which amendment provides in substance that one year after the ratification of the amendment the manufacture, sale or transportation of intoxicating liquors within, the importation thereof, into, or the exportation thereof, from the United States and all territory subject to the

jurisdiction thereof, for beverage purposes is prohibited: that Congress and the several States shall have concurrent power to enforce this article by appropriate legislation, and providing further that this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution within seven years from the date of submission to the States by Congress.

The resolution was read second time.

Mr. Cope moved that further consideration of the resolution be postponed until 10 o'clock a. m. tomorrow, and that it be made a special order for that hour.

Mr. Miller of Dallas raised the following point of order on further consideration of the resolution at this time by the House:

Mr. Speaker: I desire to submit the following point of order against the consideration at this time of House Joint Resolution No. 1:

First, that there is not now in the archives of this House, or in the possession of any officer of the House any official notification that the Federal Congress has ever adopted the constitutional amendment sought to be ratified by this concurrent resolution and submitting the same to the Legislature of this State for its ratification or rejection.

Second, that the resolution under the constitutional laws of this State is a "subject of legislation" that requires all the formalities essential to the passage of a bill, and cannot, therefore, be considered at a special session of the Legislature, which this is, unless such "subject of legislation" shall first have been submitted to the Legislature for its consideration by the Governor, which has not been done, wherefore, this House is without constitutional authority to consider and act upon this concurrent resolution at this time.

MILLER of Dallas.

The Speaker overruled the point of order as follows:

The Chair overrules the point of order, and will state that in answer to the first proposition raised by the gentleman from Dallas, Mr. Miller, that in the opinion of the Chair, the Speaker of the House and the members of the Legislature take judicial notice that this amendment has been adopted by the Congress of the United States.

All judicial officers of this State are supposed to and do take judicial notice of all legislative acts of the Legislature, and so it is the duty of all officers,

as well as members of the Legislature of this State to take judicial notice of the acts of Congress, not only with respect to the matter that is now before us, but all other matters that might be acted upon by the Congress of the United States.

In answer to the second proposition, in the opinion of the Chair, this matter is not "legislation" and is a matter over which the Governor of this State has no control, either in a Special or Regular Session of the Legislature, and without discussing the matter further, he attaches an opinion from the Attorney General of this State rendered to the Governor of this State on this very question on February 8, 1918, and same will be considered a part of the Chair's ruling on this question.

The Speaker then handed to the Clerk and had read to the House the following communication from the Attorney General:

Constitution of the United States, Art.

5—Constitution of Texas, Art. 3,
Sec. 40, and Art. 4, Sec. 15.

1. The question of the ratification of a proposed amendment to the Constitution of the United States by the Legislature is not "legislation" within the meaning of Article 3, Section 40, of the Constitution of the State, and it is unnecessary for the Governor to submit such proposal to the Legislature when he calls it in Special Session.

2. The jurisdiction of the Legislature to consider the question of ratifying a proposed amendment to the Constitution of the United States is derived from the Federal Constitution and not from the State Constitution, and a Special Session of the Legislature has equal authority with a Regular Session to ratify or reject a proposed amendment to the Constitution of the United States.

3. The veto power of the Governor can not be exercised with reference to a resolution ratifying a proposed amendment to the Constitution of the United States; Section 15 of Article 4 of the State Constitution requiring the presentation of certain matters to the Governor for approval, or disapproval, refers to ordinary legislation passed by virtue of the authority of the Constitution of the State, and not to proposed amendments to the Federal Constitution, which have been held to be not ordi-

nary legislation and not subject to the Federal veto power.

4. In designating subjects of legislation under Section 40, Article 3 of the Constitution, the Governor is only required to state the subject of legislation in general terms. The better practice from the decisions appears to be to confine the proclamation to a brief specification of the subjects of legislation. An examination of the authorities discloses that the messages of the Governor are always construed quite liberally in favor of the jurisdiction of the Legislature over any subject upon which it is undertaken to pass laws.

Austin, Texas, February 8, 1918.

To His Excellency, Hon. W. P. Hobby,
Governor, Capitol.

Dear Governor Hobby: You have directed our attention to the fact that the Congress of the United States has recently proposed an amendment to the Constitution of the United States providing, in effect, for the prohibition of the manufacture, sale, etc., of intoxicating liquors for beverage purposes. In view of the meeting of a Special Session of the Thirty-fifth Legislature at an early date, you desire to be advised whether or not it is necessary for you to submit the question of the ratification, or rejection, of this amendment to the Legislature, and whether or not it is necessary for you to exercise the veto power with reference to any resolution passed by the Legislature approving or rejecting said proposed amendment to the Constitution of the United States.

These two questions arise out of certain provisions of the Constitution of this State. Section 40 of Article 3 of the Constitution of this State, reads as follows:

"When the Legislature shall be convened in Special Session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session, or presented to them by the Governor; and no such session shall be of longer duration than thirty days."

Section 15 of Article 4, reads as follows:

"Every order, resolution or vote to which the concurrence of both houses of the Legislature may be necessary, except on questions of adjournment, shall be presented to the Governor, and, before it shall take effect, shall be approved by him; or being disapproved, shall be repassed

by both houses, and all the rules, provisions and limitations shall apply thereto as prescribed in the last preceding section in the case of a bill."

It will be observed that a Special Session of the Legislature is without jurisdiction and authority to enact any legislation upon any subject other than those which may be designated by the Governor in a proclamation calling the Legislature in session or presented to them thereafter. It will also be observed that by the literal wording of Section 15, above quoted, every resolution to which the concurrence of both houses of the Legislature may be necessary, must be presented to the Governor for his approval or disapproval. The inquiry, then, is to determine whether or not the ratification of an amendment to the Constitution of the United States proposed by the Congress is "legislation" within the meaning of Section 40, Article 3, above referred to, and, therefore, subject to the necessities and limitations of that section; and also whether or not a resolution of the House and Senate, ratifying such an amendment to the Constitution of the United States, is within the limitation of Section 15 of Article 4, and, therefore, subject to the veto power of the Governor.

We answer both questions in the negative, and say that the ratification of an amendment to the Constitution of the United States proposed by the Congress is not a subject of "legislation" within the terms and meaning of Section 40 of Article 3 of the State Constitution, and that a resolution ratifying such an amendment is not within the terms of Section 15 of Article 4, and is, therefore, not subject to the veto power. The reasons for this conclusion will now be stated:

In the first place, the necessity of ratifying an amendment to the Constitution of the United States does not arise from the Constitution of the State, but finds its origin in Article 5 of the Constitution of the United States, which reads:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or

by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress; provided, that no amendment which may be made prior to the year 1808, shall, in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

It will be observed from reading the article of the Constitution of the United States just quoted, that the amendment proposed by Congress becomes effective "when ratified by the Legislatures of three-fourths of the several States." It will be observed that the authority to ratify amendments proposed by the Congress is conferred upon the Legislatures alone. This provision of the Constitution of the United States is necessarily paramount and controlling. The Constitution has not said that the power of ratification should rest with the Legislature and the Governor, but has said that it rests with the Legislature. In our opinion, this provision is exclusive and neither the Constitution nor the laws of the State can add to or detract therefrom.

It will be observed also that the power is conferred upon the Legislature, and the jurisdictional question of the right to ratify the amendment is not limited to either a Called Session of the Legislature or a Regular Session of the Legislature. The power to ratify is conferred by the broadest terms, and, necessarily, embraces any period of time when the Legislature is regularly organized and acting as a legislative body. It matters not what restrictions there may be in the Constitution of this State as to matters of local legislation, these can not be made to limit or restrain the authority conferred upon the Legislatures by the paramount and prevailing force of the Constitution of the United States.

Article 5 of the Constitution of the United States, quoted above, has not said that the Legislature when in Regular Session, or when in Special Session upon a message from the Governor, may ratify an amendment to the Constitution of the United States, provided the resolution of ratification is approved by the Governor; neither this language, nor this meaning, is to be found in Article 5. On the contrary, Article 5 in the plainest and simplest language confers ex-

press authority on the Legislature to ratify an amendment to the Constitution of the United States, and no act of the Chief Executive of this State is necessary to confer jurisdiction on a Special Session of the Legislature to exercise a power which has been conferred by the supreme authority of the Constitution of the United States; and no action of the Chief Executive, in approving, or disapproving, a resolution ratifying an amendment to the Constitution of the United States can affect in the least the action of the Legislature in its ratification of such an amendment, for the reason that such action is taken by virtue of the supreme authority of the Constitution of the United States, which has not confided to the Governors of the various States any right to participate with the Legislature in approving, or rejecting, amendments to the Constitution of the United States. In other words, the ratification of an amendment to the Constitution of the United States is not ordinary legislation such as is referred to in Section 40 of Article 3, and to which the limitations of Section 15 of Article 4 of our State Constitution relate.

The Supreme Court of the United States has heretofore decided that the submission of an amendment to the Constitution of the United States is not ordinary legislation, and is not subject to the veto power of the President of the United States, as are all resolutions and laws which are in fact "legislation."

In the case of *Hollingsworth v. Virginia*, 3, Dall., 378, 1 Law Ed. 654, the Supreme Court of the United States held that amendments to the Federal Constitution proposed by Congress were not required to be presented to the President for his action thereon.

In other words, that he did not possess the power to veto proposed amendments to the Federal Constitution. In order that the pertinency of this decision may be appreciated, we here quote the provisions of Article 5 of the Federal Constitution:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States, or by conventions

in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress. * * *"

Subdivision 3, Section 7 of Article 1, of the Federal Constitution is as follows:

"Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States; and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives according to the rules and limitations prescribed in the case of a bill."

The language of the latter provision of the Federal Constitution is strikingly similar to the language employed in the corresponding provision of the Constitution of this State.

The question in the *Hollingsworth* case was, whether the Eleventh Amendment to the Constitution of the United States should have been presented to the President for his approval. It appeared upon inspection that the amendment was never submitted to the President. It was contended in the argument that the Constitution declares that every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States, and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives. Replying to this, Mr. Justice Chase said:

"There can surely be no necessity to answer this argument. The negative of the President applies only to the ordinary cases of legislation. He has nothing to do with the proposition or the adoption of amendments to the Constitution."

The holding of the court just referred to is predicated upon the proposition that a resolution proposing an amendment to the Constitution of the United States, is not such legislation as is subject to the veto power of the President.

It will be noted that Subdivision 3, Section 7, Article 1, of the Federal Constitution, quoted, is substantially the same as that section and article of our Constitution which requires the resolution shall be presented to the Governor for his approval, or disapproval; but the court held that an act of Congress,

proposing an amendment to the Constitution of the United States to the several States, was not ordinary legislation, and was not within the limitation of this article and section of the Constitution of the United States. For the same reason, and with equal propriety, we have reached the conclusion that inasmuch as when the proposal to amend the Constitution of the United States leaves the Congress, it is not "legislation," that, therefore, its journey from Washington to the seats of government of the several States, does not change its characteristics and that, when it reaches the Legislatures of the States, it is still "not legislation" within the ordinary meaning of those words and, therefore, is not subject to the restrictions contained in Section 40, Article 3, and Section 15 of Article 4, of our State Constitution.

The conclusions reached are very well supported in a collateral way by that line of cases which hold that an amendment to a State Constitution is not subject to the approval, or disapproval, of the chief executive of the State, for the reason that it is not ordinary legislation limited by the constitutional provision authorizing the exercise of the veto power. Among these cases may be cited the following:

Elkin v. Griest, 50 L. R. A., 570.

Green v. Weller, 32 Miss., 650.

Koehler v. Hill, 60 Iowa, 543.

State v. State Secretary, 9 So., 776.

In re Senate File No. 31, 41 N. W., 981.

Your next inquiry relates to the method of presenting subject to the Legislature for the action of that body. Section 40 of Article 3, as heretofore quoted in this opinion, provides that there shall be no legislation except "upon subjects" designated by the Governor in his call or subsequent messages. The courts of this State have held that it is not the intention of this section of the Constitution to require the Governor to define with precision the subjects of legislation, but only in a general way by his call to confine the business to particular subjects. *Brown v. State*, 32 Crim. App., 133. The better practice seems to be to confine the proclamation to a brief specification of the subjects, which the Governor desires to submit. The courts have construed the proclamations made by the Governor rather liberally toward the right of the Legislature to act. For instance: the courts have held that the proclamation of the

Governor "to reduce the taxes, both ad valorem and occupation, so far as it may be found consistent with the support of an efficient State Government," embraces the whole subject of taxation. *Baldwin v. State*, 3 S. W., 109. The courts have likewise held that a proclamation authorizing the re-apportioning of the judicial districts of the State by implication, authorizes the re-apportionment of any number of such districts. *Brown v. State*, 22 S. W., 601.

The courts have held that a proclamation of the Governor "to enact laws, etc., amending and changing the existing laws governing court procedure," authorizes the act changing the terms of the Criminal District Court of Galveston and Harris Counties. *Long v. State*, 58 Crim. App., 209; *Brown v. State*, supra.

The courts have held that the proclamation of the Governor calling the Legislature "to enact adequate laws simplifying the procedure in both civil and criminal trials," embraced and authorized the Act of 1907, relating to local option contests. *Stockard v. Reid*, 121 S. W., 1144.

You will observe from the authorities cited that the messages of the Governor are always construed quite liberally in favor of the jurisdiction of the Legislature over any subject upon which it has undertaken to pass laws. From these constructions it would reasonably follow that the better course for the Chief Executive, in submitting subjects for legislation, is to submit briefly and definitely the subjects of legislation, unless the time and opportunity presents itself for submitting the details of a particular and definite subject with a careful exclusion of any other subject which might be ordinarily involved in an attempt to specify the details of legislation.

Yours truly,

C. M. CURETON,
Assistant Attorney General.

This opinion has been considered in conference and is approved.

B. F. LOONEY,
Attorney General.

The Speaker also handed to the clerk and had read to the House the following communication from the Secretary of State:

Senate Joint Resolution No. 17.

Sixty-fifth Congress of the United States of America, at the Second Session,

begun and held at the City of Washington on Monday, the 3rd day of December, 1917.

Joint Resolution

Proposing an Amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That the following amendment to the Constitution be, and hereby is proposed to the States, to become valid as a part of the Constitution when ratified by the Legislatures of the several States as provided by the Constitution:

"Article —.

"Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"Sec. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

CHAMP CLARK,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

Vice President of the United States and President of the Senate.

I certify that this Joint Resolution originated in the Senate.

JAMES M. BAKER,

Secretary.

Department of State.

I, Geo. F. Howard, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of a resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States," a certified copy of which is on file in this department, with the endorsements thereon, as now appears of record in this department.

In testimony whereof I have hereunto

signed my name officially and caused to be impressed hereon the Seal of State at my office in the city of Austin, this the 27th day of February, A. D. 1918.

(Seal)

GEO. F. HOWARD,
Secretary of State.

Question then recurring on the motion of Mr. Cope to set House Joint Resolution No. 1 as a special order for 10 o'clock a. m. tomorrow, it prevailed.

ADDRESS BY HON. O. ELLIS.

Mr. Mendell moved that Hon. O. Ellis of the State Council of Defense be invited to address the House at this time.

The motion prevailed.

The Speaker then appointed Mr. Mendell to escort Mr. Ellis to the Speaker's stand.

Mr. Ellis, being escorted to the Speaker's stand and being introduced by Mr. Mendell, addressed the House.

APPOINTMENT ANNOUNCED.

The Speaker announced the appointment of R. E. Burt as messenger to carry papers to the Confederate Woman's Home.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

(Mr. Blackmon in the chair.)

By Mr. Cope, Mr. Smith of Scurry and Mr. Spencer:

H. B. No. 8, A bill to be entitled "An Act prohibiting the manufacture, sale, barter or exchange of spirituous, vinous, or malt liquor, or liquors of any character or capable of producing intoxication within this State on and after the taking effect of this act, except for medicinal, mechanical, scientific or sacramental purposes; prohibiting the use of premises, devices, and aids in the manufacture, sale, barter or exchange of such liquors; providing certain civil remedies for the enforcement of the terms of this act, the same being cumulative of all other remedies relevant thereunto; prescribing the terms upon which liquors may be manufactured, sold, bartered or exchanged for medicinal, mechanical, scientific or sacramental purposes; providing procedure for the procuring of evidence for the enforcement of the terms of this act and providing procedure for

the prevention of violations of the terms of this act; repealing certain laws in conflict herewith; making the terms of this act cumulative of all other laws upon the subject not in conflict herewith; extending to the entire State the provisions of certain statutes heretofore applicable to local option territory; making it a felony punishable by confinement in the penitentiary to keep a cold storage or place for the keeping for others of such liquors, and punishing corporations by fines, penalties and forfeiture of charters for the violation of this act; providing penalties and remedies against officers charged with any duty in connection with the enforcement of this act for failure to perform such duties; prescribing venue, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 9, A bill to be entitled "An Act to prohibit the barter, sale or exchange in time of war of spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication, within ten miles of any camp or concentration point where soldiers, sailors, marines or aviators are being trained in time of war for military service in the army or navy of the United States, and to provide suitable punishment for a violation of the terms of said act."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 10, A bill to be entitled "An Act to amend Article 611 of the Penal Code of Texas, adopted in 1911, so as to prohibit the sale of spirituous or vinous liquors in quantities of one gallon or less, without taking out a license as a retail liquor dealer; prescribing a penalty for the violation of this act; providing that prosecutions under this act shall have precedence upon the dockets of the district court; providing that persons convicted of violations of this act shall not have the benefits of the suspended sentence act, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 11, A bill to be entitled "An Act to amend Article 612 of the

Penal Code of Texas, adopted in 1911, so as to prohibit the sale of malt liquors capable of producing intoxication, in quantities of one gallon or less without taking out a license as a retail malt dealer; prescribing a penalty for the violation of this act; providing that prosecutions thereunder shall have precedence in the district court; providing that persons convicted for violations of this act shall not have the benefit of the suspended sentence act, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 12, A bill to be entitled "An Act to prohibit the sale of any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, to any person engaged, employed, or enlisted in the military or naval service of the United States and in uniform; prescribing a penalty for the violation of this act; providing that each sale shall constitute a separate offense, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 13, A bill to be entitled "An Act to prohibit the purchase or procuring for, or the sale, gift or delivery to, any person engaged or enlisted in the military or naval forces of the United States, of any spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication; prescribing a penalty for the violation of this act, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Bledsoe and Mr. Thomason of El Paso:

H. B. No. 14, A bill to be entitled "An Act to prohibit making an appointment for, or soliciting any person in the service of the United States military or naval forces, to meet or come in contact with any immoral woman, for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any person engaged in the service of the United States military or naval forces to any place for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for

hire from transporting any woman for the purpose of meeting anyone engaged in the service of the United States military or naval forces for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any woman accompanied by any person engaged in the military or naval forces of the United States to any place for the purpose of unlawful sexual intercourse; providing a penalty for the violation of this act, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Miller of Dallas, Mr. Bledsoe, Mr. Thomason of El Paso, Mr. Fly and Mr. Mathis:

H. B. No. 15. A bill to be entitled "An Act declaring that if any person shall knowingly, during the time the United States of America is at war, use any language, in the presence and hearing of another, or of and concerning the United States of America, the entry or continuance of the United States of America in the war, or of and concerning any flag, standard, color, or ensign of the United States of America, or any imitation thereof, or that of any officer of the United States of America, which language is disloyal to the United States of America, or abusive in character and calculated to bring into disrepute the United States of America, the entry, or continuance of the United States of America in the war, the army, navy, marine corps of the United States of America, or any flag, standard, color, or ensign of the United States of America, or any imitation thereof, or that of any officer of the United States of America, of such a nature as to be reasonably calculated to provoke a breach of peace, if said in the presence and hearing of a citizen of the United States of America, shall be a felony, and fixing the punishment for such action to confinement in the State penitentiary for any period of time not less than one year nor more than twenty-five years; declaring that if any person shall, during the time the United States of America is at war, commit to writing, or printing, or both writing and printing, by letters, words, signs, figures, or in any other manner and in any language anything of the kind of and concerning those things just enumerated in this caption, and of the kind and character thus stated in this caption that such person shall be guilty

of a felony, and shall be punished as above stated; declaring that any person who shall knowingly, publicly, or privately, mutilate, deface, defile, defy, tramp upon, or cast contempt upon, either by words or acts, upon any flag, standard, color, or ensign of the United States of America, or that of any of its officers, or either of them, shall be guilty of a felony and punished as just stated; declaring that any person who during the war between the United States and any other nation shall knowingly display, or have in his possession for any purpose whatsoever, any flag, standard, color, or ensign, or coat of arms of any nation with which the United States is at war, or any imitation thereof, or that of any State, subdivision, city or municipality of any such nation, shall be guilty of a felony, and punished by confinement in the penitentiary for the length of time first stated in this caption; authorizing any person, officer or other person, to arrest, without warrant, anyone violating any section of this act; prescribing the force and measures which may be adopted in such case; declaring that any person, officer or other person about to make such arrest shall have authority to require any person violating the provisions of this act to desist from such violation, and authorizing the use of such force and measures as are necessary to cause such person to so desist; fixing venue and jurisdiction for violations of this act in the district courts of the counties in which such violations occur and in the district court of Travis county, Texas, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. King:

H. B. No. 16, A bill to be entitled "An Act providing that the commissioners court of each county may grant aid and assistance to persons engaged in the farming and live stock business, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Tillotson:

H. B. No. 17, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of this State by adding immediately following Article 2439 thereof a new article, to be known as Article 2439a, providing, in substance, that during the continuance of a state of war between the

governments of the United States and Germany the Treasurer of this State from time to time shall in like manner, and with the approval of the Attorney General and Comptroller, invest the surplus funds of the State not deposited in State depositories and not required to meet the current expenses of the government in such short time United States certificates of indebtedness as may have been heretofore or as may hereafter be authorized by Congress; providing that, when necessary, such certificates may be cashed or sold for not less than par and accrued interest; providing that such investments shall be made only when such certificates are offered directly by the government of the United States; declaring that the Treasurer shall, under such rules as may be established by him, the Attorney General and Comptroller, make subscriptions to allotments from time to time of such certificates and execute the necessary instruments and documents to carry this act into effect, making an appropriation for the payment of all expenses incident to carrying this act into effect, providing for the payment thereof; this act being preceded by a preamble and in Section 2 thereof declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Blackmon and Mr. Metcalfe:

H. B. No. 18, A bill to be entitled "An Act authorizing counties, acting through their commissioners courts, to purchase seed to be planted on farms in such counties by residents thereof who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, etc., and declaring an emergency."

Referred to Committee on Agriculture.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 27, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 2, Inviting the Hon. William Jennings Bryan to address the Legislature.

Respectfully,
RALPH SOAPE,
Secretary of the Senate.

INVITING HON. W. J. BRYAN TO ADDRESS THE LEGISLATURE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, Inviting Hon. W. J. Bryan to address the Legislature.

Whereas, The Hon. William Jennings Bryan, illustrious Democratic leader and distinguished American, will be in Texas soon and has dates to speak at Denton and Fort Worth on March 5 and 6 respectively; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Hon. William Jennings Bryan be invited to address the Legislature in joint session at such time and on such subject as may suit him.

The resolution was read second time and was adopted.

(Speaker in the chair.)

MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor which were read to the House:

Governor's Office,

Austin, Texas, February 27, 1918.

To the Thirty-fifth Legislature in Fourth Called Session:

Gentlemen: I submit for your consideration the following subject:

"An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of this State, by adding immediately following Article 2439 thereof a new article, to be known as Article 2439a, providing in substance that during the continuance of a state of war between the governments of the United States and Germany the Treasurer of this State from time to time shall in like manner and with the approval of the Attorney General and Comptroller invest the surplus funds of the State not deposited in State Depositories and not required to meet the current expenses of the government in such short time United States certificates of indebtedness as may have been heretofore or as may hereafter be authorized by Congress; providing that when necessary such certificates may be cashed or sold for not less than par and accrued interest; providing that such investments shall be made only when such certificates are offered directly by the government of the United States; declaring

that the Treasurer shall, under such rules as may be established by him, the Attorney General and Comptroller, make subscriptions to allotments from time to time of such certificates and execute the necessary instruments and documents to carry this act into effect, making an appropriation for the payment of all expenses incident to carrying this act into effect, providing for the payment thereof; this act being preceded by a preamble and in Section 2 thereof declaring an emergency."

At the close of business February 26, 1918, there was a balance of \$8,030,680.88 in the State Treasury, including in this total only \$750,000 bearing interest in State Depositories. Except these deposits, the funds in the State Treasury are non-revenue producing. The United States Government is offering for investment short-term interim certificates of indebtedness maturing May 28, the interest beginning as of date February 28, and running until May 28. These certificates of indebtedness are an obligation of the government of the United States the same as a bond of the United States and will be paid out of the proceeds of the liberty loan which the Federal Government is now preparing to offer for investment. These certificates bear interest at the rate of 4½ per cent per annum and at the present time will afford an unusual opportunity for the immediate investment of the available funds of the State during a period when these funds will remain idle, although at the expiration of ninety days the need of the funds will begin to be felt, or a great portion thereof for the operation of the State Government. I am advised by the State Treasurer that approximately \$5,000,000 can be invested in this manner at once and leave available sufficient funds to meet the expense of the State during that period. Such an investment in these interim bearing certificates for ninety days will yield to the State a revenue of \$56,250 and will not in the least inconvenience the Treasury of the State. These interim certificates are offered through the Federal Reserve Bank at Dallas, and the State Treasurer has assurance that if any emergency should arise under which these funds will be needed, or any portion of same, the certificates will be taken up at par and accrued interest through member banks of the Eleventh Federal Reserve District.

I recommend the immediate adoption of this legislation with the emergency clause in order to give the State Treas-

urer the opportunity to invest this money on a profitable basis to the State Government of Texas, and at the same time to materially and substantially assist the Federal Government in the sale of these certificates which are issued because of the necessity of meeting the war expenses.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, February 27, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: Referring further to the sixth subject submitted in the official proclamation convening the Legislature in special session pertaining to the creation of reclamation districts, I submit for your consideration the following for legislation, to-wit:

1. An effective law announcing the creation and establishment of Water Control and Preservation Districts for the control and preservation of the purity of waters of rivers, creeks, bayous, lakes, canals, streams or other waters, for irrigation or in aid thereof, by the prevention of the inflow of salt water or other deleterious substances; the changing of said waters from salt to fresh water and the impounding of fresh water; empowering such district to erect, construct, maintain, repair and reconstruct dams, bulkheads, jetties, locks, gates or any other character of improvements necessary to the accomplishment of said purposes, or any of them; creating boards of water control and preservation where the lands embraced in such districts lie in two or more counties, or parts of counties, and defining the powers of such boards of water control and preservation; providing for the method of establishment of such districts; authorizing the ordering and holding of elections for the purpose of voting on the establishment of such districts, and the issuance of bonds and levy of tax in payment for such improvement, and the levying and payment, and the levying and collecting of taxes for payment of such bonds and interest thereon; authorizing the appointment of directors of such water control and preservation districts and defining their duties and powers; granting the right of domain to such water control and preservation districts, authorizing the directors of such districts to acquire by purchase, gift or grant for such district title to any right of way

and other property necessary for the purposes of such districts; granting a right of way over all public lands in the State necessary to effectuate the purposes of such district; authorizing the conveyance of any property acquired to the United States for certain purposes; authorizing the directors to employ an engineer, manager, and other employees, to employ counsel, to enter into contract for such improvements; to agree to co-operate with the government of the United States, the proper department or officer thereof, for the carrying out of such improvements or the supervision of same, and for all things necessary for the maintenance of such districts according to the provisions of this law; providing for entering upon lands for surveys and for all purposes of this law, and providing for penalties for preventing or prohibiting such entry upon lands; providing for the selection of depositories; authorizing the directors to issue bonds in amount sufficient to cover the cost of the proposed improvements, the expenses incident thereto and expenses necessarily incurred in connection with the creation and establishment of such districts, the amount of said bonds not to exceed the amount authorized by the election; requiring the directors to levy a tax upon all taxable property within the district to pay the interest on such bonds, together with an additional amount to be placed in a sinking fund sufficient to pay the bonds at maturity; to levy and cause to be assessed taxes sufficient in amount to pay for the expense of assessing and collecting such taxes, for the expenses incident to the maintenance of the district, and for the maintenance, operation and repair of such improvements; requiring the commissioners court of the county or counties within which the district is situated to order the county tax assessor to assess all property within such district, lying within the county, and list the same for taxation; providing the method of assessment and a penalty for the failure of any tax assessor to comply with the order of the commissioners court to so assess; providing the remedy by mandamus in the event any commissioners court should fail or refuse to order the county tax assessor to assess said property; requiring the tax collector of the counties in which such district is situated to collect the taxes for said district within his county; providing for the commissioners court to require an additional bond or security from such

tax collectors; providing for the method of collecting the taxes, the bringing of suits for collection of delinquent taxes and the enforcement of tax liens created by this law; providing penalties for failure or refusal of tax collectors to give additional bond or security or to collect taxes; providing when taxes shall mature and be paid and penalties for failure to pay same within the required time; providing for reports by district depositories and by board of directors; providing for the filing of suits to establish the validity of such districts and of the bonds; fixing the venue and procedure in such actions and the effect of such judgments; providing for the registration of the bonds of such districts by the Comptroller of the State; providing for the sale of such bonds; prohibiting suit brought in any court of the State contesting or enjoining the validity of the formation of any district or the bonds except in the name of the State of Texas by the Attorney General upon his own motion or upon the motion of any party affected thereby; providing the method of paying out funds of said district; providing generally a complete system for the establishment of such districts and the government of same; authorizing the directors to invest the sinking fund, and declaring such districts within the meaning of the Constitution; repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, February 27, 1918.

To the Thirty-fifth Legislature in
Fourth Called Session.

Gentlemen: I submit for your consideration the following subject for legislation, to wit:

A law declaring that if any person shall during the time the United States of America is at war use any language in the presence and hearing of another, or of and concerning the United States of America, the entry or continuance of the United States of America in the war, or of and concerning any flag, standard, color, or ensign of the United States of America, or any imitation thereof, or that of any officer of the United States of America, which language is disloyal to the United States of America, or abusive in character and calculated to bring into disrepute the United States of America, the entry,

or continuance of the United States of America in the war; the army, navy, marine corps of the United States of America, or any flag, standard, color, or ensign of the United States of America, or any imitation thereof, or that of any officer of the United States of America, of such nature as to be reasonably calculated to provoke a breach of the peace, if said in the presence and hearing of a citizen of the United States of America, shall be a felony, and fixing the punishment for such action to confinement in the State penitentiary for any period of time not less than one year nor more than twenty-five years; declaring that if any person shall, during the time the United States of America is at war, commit to writing, or printing, or both writing and printing, by letters, words, signs, figures, or in any other manner and in any language anything of the kind of and concerning those things just enumerated in this caption, that such person shall be guilty of a felony, and shall be punished as above stated; declaring that any person who shall knowingly, publicly or privately, mutilate, deface, defile, defy, tramp upon, or cast contempt upon, either by words or acts, upon any flag, standard, color, or ensign of the United States of America, or that of any of its officers, or either of them, shall be guilty of a felony and punished as just stated; declaring that any person who during the war between the United States and any other nation shall knowingly display or have in his possession for any such purpose whatsoever any flag, standard, color, or ensign, or coat of arms, of any nation with which the United States is at war, or any imitation thereof, or that of any State, subdivision, city or municipality of any such nation, shall be guilty of a felony and punished by confinement in the penitentiary for the length of time first stated in this caption; authorizing any person, officer or other person to arrest, without warrant, anyone violating any section of this law; prescribing the force and measures which may be adopted in such case; declaring that any person, officer or other person about to make such arrest, shall have authority to require any person violating the provisions of this law to desist from such violation, and authorizing the use of such force and measures as are necessary to cause such person to so desist; fixing venue and jurisdiction for violations of this law in the district courts

of the counties in which such violations occur and in the district court of Travis county, Texas, and declaring an emergency.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 26, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has completed its organization by electing the following officers:

Hon. E. A. Decherd, Jr., President Pro Tempore.

Secretary, Ralph Soape.

Assistant Secretary, J. B. Bennett.

Journal Clerk, T. H. Yarbrough.

Assistant Journal Clerk, Miss Lillas Matthews.

Calendar Clerk, W. C. Day.

Sergeant-at-Arms, M. F. Hornbuckle.

First Assistant Sergeant-at-Arms, J. A. Kenny.

Second Assistant Sergeant-at-Arms, Billy Skeen.

Doorkeeper, Capt. Walker.

Assistant Doorkeeper, J. W. Douglass.

Enrolling Clerk, Mrs. Albert Stelfox.

Assistant Enrolling Clerk, Mrs. Bonnie Campbell.

Engrossing Clerk, Mrs. Olara Hemphill.

Assistant Engrossing Clerk, Mrs. Myrtle Morrison.

Postmaster, Mrs. Clyde D. Smith.

Chaplain, Rev. S. H. Morgan.

Telephone Messenger, Miss Mary Jacobs.

Respectfully,
RALPH SOAPE,
Secretary of the Senate.

RECESS.

On motion of Mr. Sackett, the House, at 12 o'clock m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

APPOINTMENT OF EMPLOYES.

The Speaker announced the appointment of the following general clerks:

Daniel Watson, Hill McClanahan and
Nat Patton.
(Mr. Cox of Bee in the chair.)

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 27, 1918.

Hon. F. O. Fuller, Speaker of the House
of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed the following bills:

H. B. No. 1, A bill to be entitled
"An act appropriating \$60,000 to pay
mileage and per diem of members and
officers of the Fourth Called Session of
the Thirty-fifth Legislature."

H. B. N. 2, A bill to be entitled
"An act appropriating \$16,000 con-
tingent expenses, Fourth Called Session,
Thirty-fifth Legislature."

Respectfully,

RALPH SOAPE,
Secretary of the Senate.

BILL ORDERED NOT PRINTED.

On motion of Mr. Tillotson, it was
ordered that House bill No. 17 be not
printed.

HOUSE BILL NO. 17 ON SECOND
READING.

Mr. Tillotson moved to suspend the
constitutional rule requiring bills to be
read on three several days in each house
and that House bill No. 17 be placed on
its second reading and passage to en-
grossment and on its third reading and
final passage.

The motion prevailed by the following
vote:

Yeas—95.

Mr. Speaker.	Cox of Ellis.
Atlee.	Davis of Harris.
Bass.	Davis
Beard.	of Van Zandt.
Beasley.	De Bogory.
Bedell.	Dodd.
Bennette.	Dudley.
Bertram.	Dunnam.
Blackburn.	Estes.
Blackmon.	Fairchild.
Bland.	Fly.
Bledsoe.	Ford.
Brown.	Haidusek.
Bryan.	Hardey.
Burton of Rusk.	Hill.
Butler.	Holland.
Cadenhead.	Holaday.
Carlock.	Johnson of Ellis.
Clark.	Jones.
Cope.	King.
Cox of Bee.	Laas.

3—H

Lackey.	Sallas.
Lange.	Sentell.
Lanier.	Schlosshan.
Lee.	Seawright.
Lindemann.	Smith of Bastrop.
McComb.	Smith of Hopkins.
McCord.	Smith of Scurry.
McCoy.	Spradley.
McDowra.	Sneed.
McFarland.	Stewart.
McMillin.	Stephens.
Mathis.	Swope.
Mendell.	Taylor.
Miller of Austin.	Terrell.
Miller of Dallas.	Thomason
Monday.	of El Paso.
Morris.	Thomason
Murphy.	of Nacogdoches.
Murrell.	Thompson
Neill.	of Hunt.
Nordhaus.	Tillotson.
O'Banion.	Tilson.
O'Brien.	Tinner.
Peyton.	Vaughan.
Poage.	Veatch.
Reeves.	Williford.
Roemer.	Woods.
Rogers.	Yantis.
Sackett.	

Absent.

Bagby.	Moore.
Bell.	Pillow.
Burton of Tarrant.	Richards.
Canales.	Schlesinger.
Cates.	Sholars.
Davis of Grimes.	Strayhorn.
Denton.	Upchurch.
Greenwood.	Valentine.
Harris.	Wahrmund.
Johnson of Blanco.	White.
Lacey.	Williams
Metcalfe.	of Brazoria.

Absent—Excused.

Baker.	Robertson.
Beason.	Spencer.
Crudgington.	Templeton.
Davis of Dallas.	Thomas.
Hudspeth.	Thompson
Laney.	of Red River.
Lowe.	Traylor.
Meador.	Walker.
Osborne.	Williams
Parks.	of McLennan.
Pope.	Wilson.
Raiden.	

(Mr. McCoy in the chair.)

Mr. Reeves moved a call of the House
for the purpose of maintaining a quorum
pending consideration of the bill and
the call was duly seconded.

The Speaker then directed the Door-
keeper to close the main entrance to the
Hall and instructed the Sergeant-at-Arms

to lock all other doors leading from the Hall.

(Speaker in the chair.)

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 17, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of this State by adding immediately following Article 2439 thereof a new article, to be known as Article 2439a, providing in substance that during the continuance of a state of war between the governments of the United States and Germany, the Treasurer of this State from time to time shall in like manner and with the approval of the Attorney General and Comptroller invest the surplus funds of the State not deposited in State depositories and not required to meet the current expenses of the government in such short time United States certificates of indebtedness as may have been heretofore or as may hereafter be authorized by Congress; providing that when necessary such certificates may be cashed or sold for not less than par and accrued interest; providing that such investments shall be made only when such certificates are offered directly by the government of the United States; declaring that the Treasurer shall, under such rules as may be established by him, the Attorney General and Comptroller, make subscriptions to allotments from time to time of such certificates and execute the necessary instruments and documents to carry this act into effect, making an appropriation for the payment of all expenses incident to carrying this act into effect, providing for the payment thereof; this act being preceded by a preamble and in Section 2 thereof declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 17 ON THIRD READING.

The Speaker then laid House bill No. 17 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—98.

Mr. Speaker.
Atlee.

Bass.
Beard.

Beasley.
Bedell.
Bennette.
Bertram.
Blackburn.
Blackmon.
Bland.
Bledsoe.
Brown.
Bryan.
Burton of Rusk.
Butler.
Cadenhead.
Carlock.
Cates.
Clark.
Cope.
Cox of Bee.
Cox of Ellis.
Davis of Harris.
Davis
of Van Zandt.
De Bogory.
Dodd.
Dudley.
Dunnam.
Estes.
Fairchild.
Fly.
Ford.
Greenwood.
Haidusek.
Hardey.
Hill.
Holland.
Holaday.
Johnson of Ellis.
Jones.
King.
Laas.
Lackey.
Lange.
Lanier.
Lee.
Lindemann.
McComb.
McCord.
McCoy.
McDowra.

McFarland.
McMillin.
Mathis.
Mendell.
Metcalf.
Miller of Austin.
Miller of Dallas.
Monday.
Morris.
Murphy.
Murrell.
Neill.
Nordhaus.
O'Banion.
O'Brien.
Peyton.
Poage.
Reeves.
Roemer.
Rogers.
Sackett.
Sallas.
Sentell.
Schlosshan.
Seawright.
Smith of Bastrop.
Smith of Hopkins.
Smith of Scurry.
Spradley.
Sneed.
Stewart.
Stephens.
Swope.
Taylor.
Terrell.
Thomason
of El Paso.
Thomason
of Nacogdoches.
Thompson
cf Hunt.
Tillotson.
Tilson.
Tinner.
Vaughan.
Veatch.
Williford.
Woods.
Yantis.

Absent.

Bagby.
Bell.
Burton of Tarrant.
Canales.
Davis of Grimes.
Denton.
Harris.
Johnson of Blanco.
Lacey.
Moore.
Pillow.
Richards.
Schlesinger.
Sholars.
Strayhorn.
Upchurch.
Valentine.
Wahrmund.
White.
Williams
of Brazoria.

Absent—Excused.

Baker.
Beason.

Crudgington.
Davis of Dallas.

Hudspeth.	Templeton.
Laney.	Thomas.
Lowe.	Thompson
Meador.	of Red River.
Osborne.	Traylor.
Parks.	Walker.
Pope.	Williams
Raiden.	of McLennan.
Robertson.	Wilson.
Spencer.	

BILL ORDERED NOT PRINTED.

On motion of Mr. Miller of Dallas, it was ordered that House bill No. 15 be not printed.

ADJOURNMENT.

On motion of Mr. Spradley, the House, at 3:45 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.**REPORT OF COMMITTEE ON CRIMINAL JURISPRUDENCE.**

Committee Room,
Austin, Texas, February 27, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 15, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do pass with committee amendments.

McCOY, Chairman.

REPORT OF COMMITTEE ON LIQUOR TRAFFIC.

Committee Room,
Austin, Texas, February 26, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Liquor Traffic, to whom was referred H. J. R. No. 1, have had same under consideration

and I am instructed to report it back to the House with the recommendation that it do pass and be not printed. Mr. Spencer was appointed to make a full report thereon.

McMILLIN, Chairman.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 27, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 1, A bill to be entitled "An Act making appropriation to pay the mileage and per diem of members and per diem of officers and employes of the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, convened on the 26th day of February, 1918, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

And find the same correctly engrossed.

DENTON, Chairman.

Committee Room,
Austin, Texas, February 27, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 2, A bill to be entitled "An Act making appropriation of sixteen thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, convened February 26, 1918, by the proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

And find the same correctly engrossed.

DENTON, Chairman.

In Memory
of
Hon. J. W. Campbell

Mr. Murrell offered the following resolution:

Whereas, Hon. J. W. Campbell of Cooke county, Texas, who ably represented Cooke county in the House of Representatives of the Twenty-first Legislature of Texas, departed this life December 5, 1917; and by his untimely death the State has lost a distinguished son and useful citizen; therefore, be it

Resolved, That we offer to his surviving wife and children our most sincere sympathy in their great loss, and that a page of the House Journal be set aside and dedicated to his memory, and that when the House adjourns today it do so in honor of this deceased patriot.

MURRELL,
THOMASON of El Paso.

The resolution was read second time.

Mr. Murrell moved to adopt the resolution by rising vote.

The motion prevailed and the resolution was adopted unanimously.

TEXAS STATE LIBRARY
ARCHIVES DIV.
AUSTIN, - TEXAS